



Via ECFS

February 28, 2012

Marlene H. Dortch
Office of the Secretary
Federal Communication Commission
445 12th Street SW
Suite TW-A325
Washington, DC 20554

Re: **EB DOCKET NO. 06-36**

Dear Ms. Dortch:

Navigata Communications 2009, Inc. hereby files a copy of its 2011 Annual CPNI Compliance Certification, as required by section 64.0009(e) of the Commission's rules.

Please let me know if you have any questions about this filing.

Sincerely,

A handwritten signature in blue ink, appearing to read "Peter Legault", with a long, sweeping horizontal stroke extending to the right.

Peter Legault
President

Cc: Best Copy and Printing, Inc. (BCPI), fcc@bcpiweb.com



EB Docket 06-36

Annual 64.2009(e) CPNI Certification filed in 2012 covering the prior
calendar year 2011.

1. Date filed: **February 28, 2012**
2. Name of company(s) covered by this certification: **Navigata Communications 2009, Inc.**
3. Form 499 Filer ID: **828178**
4. Name of signatory: **Peter Legault**
5. Title of signatory: **President**
6. Certification:

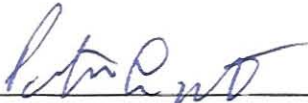
I, Peter Legault, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. See 47 C.F.R. § 64.2001 et seq.

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements (including those mandating the adoption of CPNI procedures, training, recordkeeping, and supervisory review) set forth in section 64.2001 et seq. of the Commission's rules.

The company has not taken actions (i.e., proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year.

The company has not received customer complaints in the past year concerning the unauthorized release of CPNI.

The company represents and warrants that the above certification is consistent with 47 C.F.R. § 1.17 which requires truthful and accurate statements to the Commission. The company also acknowledges that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject it to enforcement action.

Signed 

Attachments: Accompanying Statement explaining CPNI procedures

Statement Explaining CPNI Procedures
Navigata Communications 2009, Inc.

Navigata Communications 2009, Inc. (the “Company”) provides, primarily, private-line data services to other carriers on a resale, wholesale basis. The Company also provides certain telecommunications services within the jurisdiction of the Canadian Radio-television Telecommunications Commission (CRTC); however, the scope of this statement is intended to address those services within the jurisdiction of the Federal Communications Commission (FCC).

The Company does not currently use or permit access to CPNI to market any services outside of the “total services approach” as specified in 47 CFR § 64.2005. Consistent with the Commission’s rules, the Company may use, disclose, or permit access to CPNI without customer approval for the purposes of: (1) billing and collecting for services rendered; (2) protecting the rights and property of the Company, other users, and other carriers from unlawful use; (3) providing inside wiring, installation, maintenance, and repair services; and (4) providing or marketing services that are within the same class of services to which the customer already subscribes.

The Company does not currently allow affiliates or third parties access to CPNI for marketing-related purposes. If, in the future, the Company elects to use CPNI in a manner that does require customer approval, it will follow the applicable rules set forth in 47 CFR §64.2001 et seq., including the institution of operational procedures to ensure that the appropriate notification is provided and customer approval is obtained before CPNI is used or disclosed. The Company will develop and implement an appropriate tracking method to ensure that customers’ CPNI approval status can be verified prior to using CPNI for marketing-related purposes. The Company will also adopt the requisite record-keeping requirements should it use CPNI in the future for marketing-related purposes.

The Company provides training concerning CPNI compliance. All employees of the Company are required to maintain the confidentiality of all information, including customer information that is obtained as a result of their employment with the Company. Employees of the Company who do not abide by these policies or otherwise permit the unauthorized use or disclosure of CPNI will be subject to discipline, up to and including termination.

The Company currently serves its U.S. customers (all of whom are business customers) with account representatives maintaining customer lists. The Company maintains business customer confidentiality through contractual agreements. The Company does not provide CPNI without proper customer authentication.

In the event of a breach affecting U.S. customer data, the Company’s processes will be as follows: (i) Company privacy officer notified of privacy breach; (ii) if U.S. customer data is identified as compromised, notify Carrier Relations; (iii) Carrier Relations will initiate reporting via the FBI website (<https://www.cpnireporting.gov/dtrp/content/disclaimer.faces>) within the directed timeframes; (iv) the Company, within the directed timeframes, will subsequently notify the affected end customers after notification to United States Secret Service and the Federal Bureau of Investigation, or when authorized by the relevant investigating agency where such authorization is legally required; and (v) recordkeeping shall be maintained at a minimum in accordance with the directed timeframes.